

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Kaneko, et al.

Serial No.: 09/839,539

Group Art Unit: 2651

Filed: April 23, 2001

Examiner: Wong, Kin C.

For: DISK DRIVE

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APR 12 2005

Honorable Commissioner for Patents
Alexandria, VA 22313-1450**PETITION AND FEE FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136(a)**

Sir:

Applicant hereby petitions for a three-month extension of time to respond to the Office Action mailed October 12, 2004. A Third Request for Withdrawal of Finality of Rejection, Notice of Appeal, and Amendment Under 37 C.F.R. §1.116 responsive to the outstanding Office Action are being filed simultaneously herewith. Should the Request for Withdrawal be granted, Applicant hereby requests that the three-month extension fee of \$1,020.00 and Notice of Appeal fee of \$500.00 be refunded due to PTO error and delay.

The Commissioner is authorized to charge the three-month extension fee of \$1,020.00, the Notice of Appeal fee of \$500.00, and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

 James N. Dresser, Esq.
 Registration No. 22,973

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